

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7708

Joint Petition of Vermont Electric Power Company,)
Inc., and Vermont Transco LLC (collectively known as)
VELCO), and Vermont Electric Cooperative, Inc.)
(VEC) for a Certificate of Public Good, pursuant to 30)
V.S.A. Section 248, authorizing the construction of:)
(1) a new VELCO 115/46 kV Substation in Jay,)
Vermont, to be located adjacent to VEC's existing Jay)
Peak Switching Station; (2) modification of)
transmission lines; and (3) relocation of a residence)
drive and improvement of an access road –)

Order entered: 3/3/2011

PREHEARING CONFERENCE MEMORANDUM AND SCHEDULING ORDER

I convened a prehearing conference in this Docket on February 15, 2011. Appearances were entered by John Beling, Esq., for the Vermont Department of Public Service ("Department"), Donald Einhorn, Esq., for the Vermont Agency of Natural Resources ("ANR"), Mark Sciarrotta, Esq., for Vermont Electric Power Company, Inc., and Vermont Transco LLC (together "VELCO"), and Eli Emerson, Esq., and Joslyn Wilschek, Esq., for VELCO and Vermont Electric Cooperative, Inc. ("VEC").¹ The parties agreed upon and proposed two possible schedules, one in the event there are intervenors and one if there are no intervenors. Pursuant to the parties' proposal, the schedule for this Docket will depend on whether there are any intervenors to the proceeding. Each of the two schedules is set forth below. If no intervention motions are filed by April 1, 2011, then the schedule without intervenors will be

1. We note that Attorneys Sciarrotta and Emerson have not yet filed a written notice of appearance.

followed. If intervention motions are filed by April 1, 2011,² the schedule that is ultimately followed will be determined on April 15, 2011, when orders on any intervention motions will be released.

Schedule With Intervenors

DATE	EVENT
March 11, 2011	Initial discovery on petitioners by the Department and ANR
March 14, 2011	Site visit and public hearing
April 1, 2011	Responses to initial discovery due
April 1, 2011	Deadline for motions to intervene
April 8, 2011	Responses to motions to intervene
April 15, 2011	Order re: motions to intervene
April 22, 2011	Second round discovery on petitioners by Department and ANR; first round discovery on petitioners by intervenors
April 29, 2011	Discovery responses due
May 20, 2011	Parties file stipulation, if any, or petitioners file a status report with a proposed or stipulated schedule for the remainder of the proceeding
Week of June 13, 2011	Tentative technical hearing if stipulation is filed

2. The schedule establishes April 8, 2011, as the date for responses to intervention motions. However, this is based on the assumption that such motions are filed on April 1, 2011. In the event any intervention motions are filed prior to April 1, 2011, then responses to those motions will be due within seven calendar days.

Schedule Without Intervenor

DATE	EVENT
March 11, 2011	Initial discovery on petitioners by the Department and ANR
March 14, 2011	Site visit and public hearing
April 1, 2011	Responses to initial discovery due
April 1, 2011	Deadline for motions to intervene
April 15, 2011	Second round discovery on petitioners by Department and ANR
April 22, 2011	Discovery responses due
May 6, 2011	Parties file stipulation, if any, or petitioners file a status report with a proposed or stipulated schedule for the remainder of the proceeding
Week of May 16, 2011	Tentative technical hearing if stipulation is filed

The schedule is largely consistent with the recommendation of the parties, with the exception of the technical hearing date range under the schedule that envisions intervenor participation. The parties had indicated they wished to hold a technical hearing the week of May 31, 2011. However, due to a scheduling conflict, that request cannot be accommodated. Therefore, the tentative technical hearing date range in that version of the schedule is during the week of June 13, 2011. In the event that week does not work for the parties, they should notify the Public Service Board Clerk's Office as soon as possible to arrange a different date.

Also, in addition to the petition under consideration in this Docket, on January 24, 2011, VEC filed a petition seeking an amendment to the Certificate of Public Good it was issued on August 6, 2010, in Docket 7604 authorizing the construction and operation of what is known as the Jay Peak Switching Station. The purpose of the requested amendment is to allow VEC to interconnect the switching station with the Jay Tap Substation if it is approved and constructed. Because there are common questions of law and fact, VEC has requested that the technical hearings for both this Docket and Docket 7604 be held concurrently, and the schedules that it

proposed in this Docket envision discovery in both proceedings occurring simultaneously. On March 2, 2011, the Clerk's Office issued a memorandum to the parties in Docket 7604 seeking comment as to whether a public hearing and site visit were needed for the requested amendments, as well as the feasibility of having the two proceedings follow the schedules proposed in this Docket. Comments are due by close of business on March 9, 2011. Because it is not possible to determine whether the two proceedings can progress concurrently without first determining whether a site visit and public hearing will be needed in Docket 7604, this memorandum does not address the question of whether the two Dockets will progress concurrently.

SO ORDERED.

Dated at Montpelier, Vermont, this 3rd day of March, 2011.

s/ John J. Cotter
John J. Cotter, Esq.
Hearing Officer

OFFICE OF THE CLERK

FILED: March 3, 2011

ATTEST: s/ Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)